

JOSEPH H. KIM, Trial Attorney (IL6243249)
 United States Department of Justice
 Environment and Natural Resources Division
 Wildlife and Marine Resources Section
 Benjamin Franklin Station, P.O. Box 7369
 Washington, D.C. 20044-7369
 Telephone: (202) 305-0207
 Facsimile: (202) 305-0275
joseph.kim@usdoj.gov

One of the Attorneys for Federal Defendants
 (Additional Counsel listed on Signature Page)

UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF ALASKA
 AT ANCHORAGE

YUKON DELTA FISHERIES DEVELOPMENT)	
ASSOCIATION, et al.,)	
)	
Plaintiffs,)	Cause No. A05-245 CV (JKS)
)	
v.)	SECOND UNOPPOSED MOTION
)	TO EXTEND TIME TO ANSWER
NATIONAL MARINE FISHERIES SERVICE,)	AND FILE THE
et al.,)	ADMINISTRATIVE RECORD
)	
Defendants.)	

Defendants, National Marine Fisheries Service, James Balsinger, sued in his official capacity as National Marine Fisheries Service Alaska Regional Administrator, and Carlos Gutierrez, sued in his official capacity as Secretary of Commerce (collectively, “Federal Defendants”), through counsel, hereby move the Court for a second extension of time to file both the answer and administrative record in this case to January 31, 2006. In support of this motion, Federal Defendants state as follows:

1. Federal Defendants have previously sought and received an extension of time for the answer and the administrative record in this case until January 15, 2006.

2. During this extension of time, counsel for the parties have begun settlement negotiations. During the course of these negotiations, the parties have agreed that, at this time, efforts would be better directed towards settlement as opposed to responding to the Complaint or preparation of the administrative record.

3. Accordingly, Federal Defendants seek an extension of time for the answer and the administrative record in this case until January 31, 2006.

4. Federal Defendants' counsel has conferred with Plaintiffs' counsel, and Plaintiffs do not oppose this motion. Moreover, the parties have agreed that a further extension, beyond January 31, will likely be necessary, to be based on the progress of further settlement talks.

Dated: January 13, 2006

Respectfully submitted,

SUE ELLEN WOOLDRIDGE
 Assistant Attorney General
 United States Department of Justice
 Environment and Natural Resources Division
 JEAN E. WILLIAMS, Section Chief
 LISA L. RUSSELL, Assistant Section Chief

s/ Joseph H. Kim
 JOSEPH H. KIM, Trial Attorney (IL6243249)
 United States Department of Justice
 Environment and Natural Resources Division
 Wildlife and Marine Resources Section
 Benjamin Franklin Station, P.O. Box 7369
 Washington, D.C. 20044-7369
 Telephone: (202) 305-0207
 Facsimile: (202) 305-0275
joseph.kim@usdoj.gov

TIMOTHY M. BURGESS, U.S. Attorney
 SUSAN LINDQUIST, Assistant U.S. Attorney
 District of Alaska
 222 W. 7th Ave. # 9, C-253
 Anchorage, Alaska 99513-7567

Attorneys for Federal Defendants

CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2006, I caused the foregoing, together with a proposed order relating to the same, to be electronically filed with the Clerk of the Court using the CM/ECF System, which *may* send notification of such filing to the following counsel of record in this matter:

Gerald T. Davis
5028 47th Ave. NE
Seattle, WA 98105

Because of the recent use in this District of the CM/ECF System, I do not yet know whether the above-referenced counsel has registered such that he will receive such notification. Accordingly, on this date, I have also mailed a copy of these documents by first-class U.S. Mail, postage pre-paid, to the address indicated above.

s/ Joseph H. Kim
JOSEPH H. KIM, Trial Attorney
United States Department of Justice
Environment and Natural Resources Division
Wildlife and Marine Resources Section
Ben Franklin Station, P.O. Box 7369
Washington, D.C. 20044-7369
(202) 305-0207
(202) 305-0275 (fax)
joseph.kim@usdoj.gov